

UNITED STATES OF AMERICA : **CRIMINAL NO. 20- 464**

v. : **DATE FILED:** 12/15/20

MICHAEL RADOCHA : **VIOLATIONS:**

: **18 U.S.C. § 641 (conversion of government funds – 1 count)**

: **Notice of Forfeiture**

COUNT ONE

INTRODUCTION

1. The Social Security Administration (“SSA”), an agency of the United States, administered certain government benefit programs, including the Disability Insurance Benefit (“DIB”) program, pursuant to Title 42, United States Code, Sections 401-433.

2. The DIB program was a federally funded program administered through the Social Security Administration. DIB was available if a person worked long enough and had a medical condition that prevented the individual from working for at least 12 months or resulted in death.

3. DIB payments continued until the beneficiary reached full retirement age.

4. Once approved for DIB payments, DIB recipients were required to notify SSA of any work activity or income received from any source. DIB recipients were also required to notify SSA of any change in their medical diagnosis or abilities.

5. DIB eligibility terminated if the beneficiary earned more than a certain monthly amount, known as “Substantial Gainful Activity.”

6. In or about May 2006, defendant MICHAEL RADOCHA applied for DIB. In his application, defendant RADOCHA stated, among other things, that he was unable to continue driving trucks as a result of his disability. Based upon the representations in his application, SSA approved DIB benefits for defendant RADOCHA.

7. At various times after SSA approved DIB benefits, defendant MICHAEL RADOCHA worked and received income. After SSA approved DIB benefits, defendant RADOCHA also maintained a commercial driver’s license (“CDL”) and corresponding medical certificate. Defendant RADOCHA never notified SSA of his work activity, income, or his ability to drive commercial vehicles without restriction. SSA continued to issue DIB payments through electronic funds transfers initiated from an SSA office in the Eastern District of Pennsylvania to the defendant’s bank accounts.

8. Beginning in or about May 2006 through in or about May 2019, in the Eastern District of Pennsylvania, and elsewhere, defendant

MICHAEL RADOCHA

knowingly converted to his own use money of the United States in excess of \$1,000, that is SSA DIB payments which defendant RADOCHA knew he was not entitled to receive.

In violation of Title 18, United States Code, Section 641.

NOTICE OF FORFEITURE

THE GRAND JURY CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 641, set forth in Count One of this Information, defendant

MICHAEL RADOCHA

shall forfeit to the United States of America:

(a) any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,
United States Code, Section 981(a)(1)(C).

A handwritten signature in blue ink that reads "Ronald Sarach for". The signature is written in a cursive style.

WILLIAM M. MCSWAIN
United States Attorney

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

MICHAEL RADOCHA

INFORMATION

18 U.S.C. § 641 (conversion of government funds – 1 count)
Notice of Forfeiture

A true bill.

Foreman

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____
